a requisition signed by 58 members of the Assembly to the effect that they be allowed to move an adjournment motion or an emergency resolution for discussing the necessity of controlling the prices of yarn in the State, either by legislation or by the application of the Defence of India Act in consideration of the prices of yarn and cloth having increased up to 250 per cent of the previous rates and resulted in hardship to consumers of yarn and cloth. He stated that the requisition could not be regarded as a notice of adjournment motion under the rules, but under the powers vested in him as President of the Assembly, he would however have no objection to admit it as a Special Representation and allot some time on the following day for a discussion of the subject-matter in question.

Mr. Shampoor PAPANNA, who was one of the signatories to the requisition, represented that if this was treated as a representation, perhaps only one member might have the opportunity of raising the question. Whereas if it was treated as a special resolution, in view of the interest attaching to the question, more members could have the opportunity of discussing it.

Mr. PRESIDENT stated that it was with a view to enabling at least some members to participate in the discussion he had proposed to admit the representation as a special representation and to allot some time for its discussion.

GOVERNMENT BUSINESS—BILLS—*contd.*

17. The Mysore Motor Vehicles Bill.

The SECRETARY to GOVERNMENT, LAW DEPARTMENT (Mr. H. V. Narayana Rao) explained the principles of the Bill as follows :—

The Mysore Motor Vehicles Act, 1928, modelled on the corresponding Act of British India, the Indian Motor Vehicles Act, 1914, is the law governing the grant of driving licences and registration of motor vehicles in Mysore.

In British India it was recognised that the law as found in the 1914 Act was no longer adequate to deal with conditions brought about by the rapid growth of motor transport. In the interests alike of the safety and convenience of the public and of the development of a co-ordinated system of transport, much closer control was considered necessary. A number of experts and committees set up by the Government of India made recommendations for a change in the law. In 1936, therefore, a Bill to amend the 1914 Act was introduced in British India and circulated for public opinion. In the meanwhile, two other reports were received by the Government of India and in the result, a comprehensive measure was brought forward in 1938 and passed into law in 1939. This Act of 1939 is the basis of the present Bill.

Such a measure is considered necessary not only to secure uniformity in the law but also to provide for reciprocity so that vehicles and drivers in Mysore may not be inconvenienced when travelling in British India and *vice versa*.

Many of the provisions in the Bill are at present being enforced in Mysore under the 1928 Act and the Road Traffic and Taxes Act and the rules thereunder.

But the Bill is more comprehensive in its provisions and a number of safeguards have been imposed on the issue of driving licences and control of transport vehicles and traffic on roads.

The principle of compulsory insurance is entirely new to Mysore, but in the interests of the safety of third parties who are often innocent victims of motor accidents in which they are not at fault, it has been considered desirable to incorporate such a principle in the Bill. The provisions will however not come into force immediately but after a certain period in order to enable these provisions to be made known to the public.

It is expected that the enactment of this Bill will tend to reduce the number of road accidents and secure a better and more efficient use of motor transport in Mysore.

Mr. T. M. KHAN submitted that this was a very important Bill with a very large number of clauses and schedules for study. There was not time enough

for bus proprietors in the State to meet and discuss the provisions and the effect thereof on them. Personally he felt that the interests of bus proprietors would be adversely affected if this Bill were to become law as it stood. He therefore requested Government to propose this Bill about a year later.

Mr. M. N. JOIS stated that he and members of his party were interested in helping bus passengers without, at the same time, sacrificing the interests of bus proprietors and taxi owners. These together had sunk about a crore of rupees on buses and taxies plying within the State. The Bill included, among others, provisions for compulsory insurance, enforcement of section 67 according to which special responsibilities would attach to drivers and conductors, etc. These were all matters worthy of a thorough discussion. The insurance referred to in this Bill was quite unlike life insurance. In the latter case, the insured would get back in course of time monies paid by them in the shape of premia. Whereas, in the former, the amounts paid in were all non-returnable . . . .

The MINISTER for REVENUE and FINANCE (Rajamantrapravina K. V. Anantaraman) observed that in the event of mishap, however, the amounts would be returnable in full.

Mr. M. N. JOIS stated that there were only 4 or 5 companies in India which had already insured. Even Insurance Companies were not accepting insurance against motor accidents. It was only in cases of Rs. 25,000 and more, that Companies were accepting proposals for insurance But the average life of a bus or taxi had been determined as 5 years. This meant that whatever income the owner of a bus or taxi wanted to derive from the conveyance, had to be earned within that limit of 5 years. As against the cost of a car, namely, about Rs. 3,500, the insurance premium (which was generally non-returnable) worked out at about Rs. 600 per annum. In other words, if the cost of the car was Rs. 3,500, the insurance premium would amount to Rs. 3,000. Buses generally cost Rs. 7,000 or more. If they were all to be insured at the rates mentioned, it was easy to imagine how far the expenses of travelling would rise and affect passengers. Already on account of petrol rationing, the system of running services on alternate days had come into vogue and particularly on non-railway competition routes, the fares had been put up very largely. In such conditions, if this Bill was passed into law, it was certain that passengers would have to face in future greater difficulties than at present. It was stated in the statement of principles that the provisions respecting compulsory insurance would not come into force immediately but after a certain period. That in itself was sufficient to show that in the present circumstances nothing was going to be lost if the proposed enactment was not made and that the present state of things might as well be allowed to continue for some time longer. And when Government themselves were of that opinion there was no reason why an industry on which more than a crore of rupees had been sunk by private individuals in the State should be penalised. When such a big piece of legislation was contemplated, the Government should have consulted organisations like the Automobile Association, the Bus Owners Association, etc., about it. This had not been done. He therefore urged that until public opinion had expressed itself, Government might defer introducing this Bill. If necessary, Government might bring it up at the following session of the Council since there was no immediacy about it. Members would like to have a reply of Government on this particular suggestion before making up their minds whether to support this Bill or throw it out.

Mr. K. NANJUNDA RAO endorsed the view expressed by Mr. Jois.

Mr. S. I. MUMTAZ also thought that it would be better to defer consideration of this Bill. He feared that every page and every clause of this Bill seemed to have in store some extra trouble and inconvenience to the public. Both bus owners and the public were sure to suffer if this became law. Whatever extra expenditure bus owners would have to

bear, would ultimately fall on the travelling public who were generally poor. This was an important point to be borne in mind in connection with this Bill. Secondly, there were questions like compensation payable to parties in cases of accidents and they would have to be threshed out and understood by bus owners in the first instance. For all these reasons, it was necessary to postpone consideration of this Bill for some time.

The MINISTER for LAW (Rajaseva-prasakta A. V. Ramanathan) made the following statement at this stage with reference to the points raised so far. He stated that the provisions of this Bill had already been discussed by the Traffic Board which included representatives of the Mysore Chamber of Commerce and of the Bus Proprietors. It would not be correct therefore to say that bus proprietors had not had time at all to consider this Bill. Secondly, it was only the principles of the proposed measure that were under discussion on the present occasion. No one could say that every detailed provision of the law was going to be exactly what it was in the Bill before the House. After the principles were discussed in the Assembly, the Bill was going to be published in the Gazette. Thereafter, there would be plenty of time for the public to study it and let Government know their views. Then would be the first reading of the Bill in the Legislative Council. All the suggestions that might have been received till then would be considered in that connection. So there was no room for any apprehension that if on the present occasion the principles were agreed to, the public would be forgoing all opportunities of considering the question. If the Legislative Council did not want that an important and elaborate Bill like this should be gone through at one stage, the Bill naturally would go up before the Council at a subsequent session. That meant still more time to the public to study its provisions. Thirdly, the point to be borne in mind in connection with this Bill was one of reciprocity between Mysore and other Administrations. Drivers' and conductors' licences issued by Mysore Government must be recognised by other Administrations. Similarly licences issued by other Administrations must be recognised in Mysore. And there were many other points of common interest between Mysore and other Administrations. Simply because the House was asked to accept the principles of the Bill at this stage, it certainly did not mean that Government were going to do everything as stated in the proposed Bill. For instance, the question of insurance was purely an optional item. If the date proposed for enforcing that provision should be pretty distant, there was nothing to preclude such an understanding being arrived at.

In spite of these assurances, if the Assembly was definitely against this Bill being taken into consideration in this session, Government, for their part, were not determined to go ahead with it in spite of such a verdict from the Assembly. After all, this was a legislation meant for public good. That was why he had already stated that all suggestions which might be received even after the present session of the Assembly would certainly be considered by Government, and placed before the Legislative Council. In view of this assurance, he hoped that members would avail themselves of this opportunity of pointing out defects, if any, in the Bill, and offer any suggestions of their own and allow the Bill to go through, particularly because, it was meant to help reciprocity between Mysore and other Administrations.

Mr. M. N. JOIS stated that members had not had sufficient time to consider the provisions of this very important measure and therefore felt unable to express their views on it. But whether the Bill was taken up on the present occasion or at a future date, it was certain that the views of the members were going to be in many respects opposed to those of the Government. He therefore urged that the Bill be deferred for the present. At the same time, he added that just as the Government were not determined to proceed with the Bill, against the opinion

of the Assembly, members of the House were similarly not determined to get the Bill postponed merely with a view to gain cheap notoriety. Their point was that when a Bill came up before the Assembly, it was the duty of the members to make sure that the Bill if passed into law, would make for public good and in addition, to the extent necessary, members must also consider the detailed provisions and express their views on them. It was only when they did all that, the members could be said to have discharged their responsibility by their constituencies. With regard to the particular Bill before the House, the members, as stated already, had not the time to discharge that responsibility. That was the reason why he was urging for postponement.

The PRESIDENT pointed out that there was some urgency about the Bill.

Mr. M. N. JOIS remarked that the time allotted for Government Business had expired two days earlier and if this Bill was under consideration at the present moment, it was so merely as a result of a common understanding between Government and the members of the Assembly that as far as possible all the remaining business be transacted. But for such an understanding, this Bill would not have had the fresh lease which it had now got. At such a stage, the Government need not perhaps advance the argument of urgency in favour of the Bill.

The PRESIDENT agreed that it was certainly not proposed to hurry on with the Bill at all costs. The difficulty was that as things stood the Government of Mysore could not get their licences recognised by British Indian Administrations, and drivers and conductors from Mysore would have to obtain licences in British India also. Secondly, the question of third party insurance, too, was likely to crop up. Therefore when any emergency or new situation arose, Government had to be prepared to meet it. That was the object with which the Bill had been placed before the House. The discussions on that day related to the Bill by virtue of an understanding that an hour would be allotted for Bills every day. So there was nothing wrong in discussing the Bill further and, in one sense, it was also urgent.

Mr. M. N. JOIS agreed that every item of Government Business was urgent but remarked that it was all a question of relative urgency. Even without a Bill of this kind, things were going on in some way. And if at a future date, Government really felt that a law like this was absolutely necessary, they certainly had the power to pass it as an emergency legislation.

The PRESIDENT asked whether it was the sense of the Assembly that Government should go on passing emergency legislations as and when necessity arose.

Mr. M. N. JOIS replied that, apart from the opinion of the House, Government had been passing such laws.

The PRESIDENT said that if Government could do so, at the instance of the Assembly, it was all the better.

Mr. M. N. JOIS replied that the Assembly could only view things from the point of view of public convenience.

The PRESIDENT stated that licences issued by the Mysore Government were being honoured in British India on an assurance given by Government that necessary legislation as at present proposed, would be passed as soon as possible. After all, it was not a new Act altogether. Similar Acts were already in existence elsewhere. It was proposed to pass an act in Mysore also in the interests of reciprocity. But if members of the Assembly were all agreed in thinking that the Bill need not be proceeded with at present and that, if there was emergency later on, Government might pass an emergency Act, the Bill would be dropped for the present. He would, however, inform the House once again that the Bill was really not very necessary at the present time, but it might become urgent at any time in future.

Rao Bahadur M. RAMASWAMI and **Mr. G. ABDUL SATTAR** suggested that in view of what the President had stated, the consideration of the Bill might be postponed for the present.

Mr. K. CHENGALARAYA REDDY however suggested that the question of

third party insurance which was a very important issue might perhaps be discussed now.

The PRESIDENT concurred in that view. He thought that there was no harm in discussing that point. There was however an alternative suggestion for the consideration of the House, namely, that the Bill might be taken up for consideration on the last day.*

Rao Bahadur M. RAMASWAMY, Mr. A. SRIKANTIAH and some other members agreed to the alternative suggestion.

Mr. S. N. M. RAZVI however thought that members should be given sufficient time to ascertain from bus proprietors and lorry owners and owners of taxies their difficulties on the proposed legislation. Unfortunately most of the members of the House did not represent such persons. And this was a Bill which affected bus owners, etc., more than the class of people represented by the existing members. And the opinions of the bus owners, etc , could not possibly be ascertained before the last day of the present session. In the circumstances it was necessary to defer consideration of the Bill till a subsequent session.

Mr. A. N. RAMA RAO however did not think it necessary to postpone the Bill till after the last day of the Session.

Mr. RAZVI wanted to elicit the opinion of the Bus Owners Association in this connection. But the speaker asked whether it was usual to consult the Law Association, for example, before making every new law. Bus owners would have plenty of time to file objections and to communicate their own opinions even later.

Mr. A. K. SYED RASOOL said that in the case of other enactments, it was easy for members of the House among whom were many members of the Bar to express their own opinions; while in the case of the present Bill, members laboured under one handicap, namely that they had no views of their own about it.

Mr. M. SITARAMA SASTRY said that a law like this was very necessary. Government had taken a lot of trouble in preparing the Bill. They had also consulted representatives of many organizations. All that trouble would go to waste if the Bill was not proceeded with. He therefore wished that the Bill be taken into consideration.

Mr. Bhupalam R. CHANDRASEKHARAYYA was in favour of postponing the Bill till the following session of the Assembly, an Emergency Act being passed by the Government in the meanwhile, if there was necessity for doing so.

Mr. K. HANUMANTHIAH said that if the suggestion to hold an extra session of the Assembly in the month of January was accepted, this Bill might as well be placed before the Assembly at that session. Secondly, there were as many as 22 bills placed before the House at its present session. But the number of days allotted therefor was only 10. No House of Legislature could possibly get through 22 bills, some of them very important and elaborate, within 10 days. This only showed the necessity for either extending the duration of each session or having an extra session of the House.

The PRESIDENT replied that that question might be decided later.

REPRESENTATIONS—*contd.*

No. 29.—Conversion of Narasimharajapura Sub-Taluk into a pucca taluk.

Mr. N. P. GOVINDA GOWDA (Narasimharajapura—Rural).

Mr. Kadidal MANJAPPA GOWDA who moved the representation on behalf of the mover, prayed that the Narasimharajapura Sub-Taluk be converted into a pucca taluk from 1st of January 1942.

The MINISTER for REVENUE and FINANCE (Rajamantrapravina K. V. Anantaraman) promised to consider the question.

No. 30.—Converting Kumsi Sub-Taluk into a pucca taluk.

Mr. K. G. BASAPPA (Kumsi—Rural). (*Not moved as the mover was absent*).

* Consideration of this Bill deferred till the next session. (*vide* 11th day's proceedings)